

JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES  
OF THE  
STATE OF ALABAMA,  
EXTRA SESSION OF 1899  
HELD IN THE CITY OF MONTGOMERY,  
COMMENCING  
TUESDAY, MAY 2, 1899.



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WITH AN INDEX  
PREPARED BY THE CLERK OF THE HOUSE.

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Be it remembered that on the 20th day of April, A. D. 1899, Joseph F. Johnston, Governor of the State of Alabama, issued his proclamation in the words and figures following, to-wit:

A PROCLAMATION.

The General Assembly of Alabama is hereby called to meet in extra session at the Capitol on Tuesday, May 2d, 1899, at noon, for the following purposes only:

1st. To consider the question of repealing an act entitled "An act to provide for holding a convention to revise and amend the Constitution of this State, and for the submission of the question—Convention or No Convention—to a vote of the electors of the State," approved December 16th, 1898.

2d. To consider and submit amendments to the Constitution of the State.

3d. To consider a primary election law.

In witness whereof I have hereunto set my hand and caused the great seal of the State to be affixed at

the Capitol, in the City of Montgomery, on this, the 20th day of April, 1899.

JOSEPH F. JOHNSTON,  
Governor.

By the Governor:  
ROBERT P. McDAVID,  
Secretary of State.

In pursuance whereof, at the hour of 12 m., on Tuesday, May 2, 1899, the Representatives in the General Assembly of Alabama assembled in the Hall of the House of Representatives.

The House was called to order by Hon. Charles E. Waller, Speaker of the House.

The following named members responded to their names:

Messrs. Speaker, Andress, Arrington, Bayles, Bibb, Box, Brandon, Bruner, Bulger, Burkhalter, Byars, Cannon, Capps, Carson, Cheatham, Cofer, Collier, Cornelius, Dameron, Davidson, Davis, Delchamps, Doster, Edwards, Flewellen, Forrester, Fuller, Garner, Garrett, George, Gibson, Godbold, Graves, Green, Hardie, Harris, Harwood, Haynie, Heflin of Randolph, Henry, Hollis, Hood, Houston, Hubbard, Huey, Hurt, Jarrett, Jones of Bullock, Jones of Covington, Jones of Wilcox, Kelly, Killen, Knight, Lee, Long, Lyle, Maddux, Marbut, Mathews, Miller, Mitchell, Moody, McCain, McGuire, McRee, Patterson, Pettus, Porter, Reynolds, Riggs, Robinson, Rogers, Rousseau, Seymour, Sloan, Smith of Baldwin, Smith of Escambia, Spears, Stodghill, Sturdivant, Sullivan, Tate, Thigpen, Tunstall, Vaughan, Wallace, White—87.

The session was opened with prayer by Rabbi Messing, of the city.

#### ELECTION OF SUBORDINATE OFFICERS.

Mr. Carson offered the following resolution, the rules were suspended, and the resolution adopted:

*Resolved*, That the House proceed at once to the

election of an assistant clerk, an engrossing clerk, an enrolling clerk, and an assistant doorkeeper.

The House proceeded with the election of an assistant clerk.

Mr. Heflin of Chambers nominated Frank N. Julian of Colbert for assistant clerk.

Those who voted for Mr. Julian are:

Messrs. Speaker, Andress, Bayles, Bibb, Box, Brandon, Bruner, Bulger, Burkhalter, Byars, Cannon, Capps, Carson, Cheatham, Cofer, Collier, Cornelius, Dameron, Davidson, Davis, Delchamps, Doster, Edwards, Flewellen, Forrester, Fuller, Garner, Garrett, George, Gibson, Godbold, Graves, Green, Hardie, Harris, Harwood, Haynie, Heflin of Chambers, Heflin of Randolph, Hollis, Hood, Houston, Hubbard, Huey, Hurt, Jarrett, Jones of Bullock, Jones of Covington, Jones of Wilcox, Kelly, Killen, Lee, Long, Lyle, Marbut, Mathews, Miller, Moody, McCain, McGuire, McRee, Patterson, Pettus, Porter, Reynolds, Riggs, Robinson, Rogers, Rousseau, Screws, Seymour, Sloan, Smith of Baldwin, Smith of Escambia, Spears, Stodghill, Sullivan, Tate, Thigpen, Tunstall, Vaughan, Wallace, White—83.

Mr. Julian, having received all the votes cast, was declared duly elected assistant clerk for the term prescribed by law.

The House proceeded with the election of an engrossing clerk.

Mr. Hardie nominated Val Taylor of Perry for engrossing clerk.

Those who voted for Mr. Taylor are:

Messrs. Speaker, Andress, Arrington, Bayles, Bibb, Box, Brandon, Bruner, Bulger, Burkhalter, Byars, Cannon, Capps, Carson, Cheatham, Cofer, Collier, Dameron, Davidson, Davis, Delchamps, Edwards, Flewellen, Forrester, Garner, Garrett, George, Gibson, Godbold, Green, Hardie, Harris, Harwood, Haynie, Heflin of Chambers, Heflin of Randolph, Henry, Hubbard, Hurt, Jones of Bullock, Jones of Covington, Jones of Wilcox, Knight, Lee, Long, Lyle, Maddux, Marbut, Mathews, Miller, Mitchell, Moody, Mc-

Cain, McGuire, McRee, Patterson, Pettus, Porter, Reynolds, Riggs, Robinson, Rogers, Rousseau, Seymour, Sloan, Smith of Baldwin, Smith of Escambia, Spears, Stodghill, Sullivan, Tate, Thigpen, Tunstall, Wallace, White—75.

Mr. Taylor, having received all the votes cast, was declared duly elected engrossing clerk for the term prescribed by law.

The House proceeded with the election of an enrolling clerk.

Mr. Lee nominated J. S. Williams of Barbour for enrolling clerk.

Those who voted for Mr. Williams are:

Messrs. Speaker, Andress, Arrington, Bayles, Bibb, Box, Brandon, Bruner, Bulger, Byars, Cannon, Capps, Carson, Cheatham, Cofer, Collier, Cornelius, Dameron, Davis, Delchamps, Doster, Edwards, Flewellen, Forrester, Fuller, Garner, Garrett, George, Gibson, Godbold, Graves, Green, Harris, Harwood, Haynie, Heflin of Chambers, Heflin of Randolph, Henry, Hollis, Hood, Houston, Hubbard, Jones of Bullock, Jones of Covington, Jones of Wilcox, Kelly, Killen, Knight, Lee, Long, Lyle, Maddux, Marbut, Mathews, Miller, Mitchell, Moody, McCain, McGuire, McRee, Patterson, Pettus, Poole, Reynolds, Riggs, Robinson, Rogers, Rousseau, Screws, Seymour, Sloan, Smith of Baldwin, Smith of Escambia, Spears, Stodghill, Sturdivant, Sullivan, Tate, Thigpen, Tunstall, Vaughan, Wallace—82.

Mr. Williams, having received all the votes cast, was declared duly elected enrolling clerk for the term prescribed by law.

The House proceeded with the election of an assistant doorkeeper.

Mr. Garner nominated Thos. J. Fain of Dale for assistant doorkeeper.

Those who voted for Mr. Fain are:

Messrs. Speaker, Andress, Arrington, Bayles, Bibb, Box, Brandon, Bruner, Bulger, Byars, Cannon, Capps, Cheatham, Cofer, Collier, Cornelius, Dameron, Davis, Delchamps, Doster, Edwards, Flewellen,

Forrester, Fuller, Garner, Garrett, George, Gibson, Godbold, Hardie, Harris, Haynie, Heflin of Chambers, Heflin of Randolph, Henry, Hollis, Hood, Houston, Hubbard, Huey, Hurt, Jones of Bullock, Jones of Covington, Jones of Wilcox, Kelly, Killen, Lee, Long, Lyle, Maddux, Marbut, Mathews, McCain, McGuire, McKee, Patterson, Pettus, Porter, Reynolds, Robinson, Rogers, Rousseau, Seymour, Sloan, Smith of Baldwin, Smith of Escambia, Spears, Stodghill, Sturdivant, Sullivan, Thigpen, Tunstall, Vaughan, Wallace, White—75.

Mr. Fain, having received all the votes cast, was declared duly elected assistant doorkeeper for the term prescribed by law.

#### STANDING COMMITTEES.

The Speaker announced that the members composing the standing committees of the House at the regular session, 1898-99, would constitute the standing committees for the extra session.

#### PAGES, MESSENGER, AND DOORKEEPER OF GALLERY.

The Speaker appointed for pages, messenger, and doorkeeper of the gallery the persons who filled these respective positions at the regular session, 1898-99, to-wit:

Pages—Milton Y. Hood, John D. Bibb and Joe Hillhouse,

Messenger—Charles D. Lyle.

Doorkeeper of Gallery—Edward O. Jones.

#### RESOLUTIONS.

Mr. Mitchell offered the following House joint resolution; the rules were suspended, and the resolution adopted:

*Be it resolved by the House, the Senate concurring,*  
That a joint committee of three from the House and

two from the Senate be appointed to wait upon the Governor and notify him that the General Assembly is duly organized and awaits his message.

Committee on part of the House: Messrs. Mitchell, Vaughan and McQueen.

### MESSAGE FROM THE SENATE.

Senate Chamber.  
May 2d, 1899.

Mr. Speaker:

Pursuant to the proclamation of the Governor of Alabama, heretofore issued and promulgated, the Senate of Alabama has convened in its chamber in the Captiol, and has perfected an organization by the election of the following subordinate officers for the Senate during the extraordinary session this day convened:

R. G. Banks, of Montgomery, as assistant secretary.

D. F. McCall, of Montgomery, as engrossing and enrolling clerk.

W. M. Cook, of Wilcox, as assistant doorkeeper.

And has concurred in House joint resolution herewith sent, raising a joint committee to wait upon the Governor and inform him that the General Assembly has convened in pursuance to his proclamation, calling them into extraordinary session, and are now organized and ready to receive any communication he may have to transmit to the two houses.

JNO. F. PROCTOR,

Secretary.

### REPORT OF COMMITTEE TO WAIT ON GOVERNOR.

The committee on part of the House, of the joint committee to wait upon the Governor, reported through its chairman, that it had waited upon the Governor and informed him of the organization of the General Assembly.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the Senate joint resolution herewith sent relative to appointing committee of two on part of the Senate and three on part of the House to invite Senators Morgan and Pettus to address the General Assembly.

Committee on part of Senate: Messrs. McCain and Deans of Shelby.

JNO. F. PROCTOR,  
Secretary.

## SENATE MESSAGE.

The House concurred in the foregoing Senate resolution.

Committee on part of the House: Messrs. Davis, Poole and Hurt.

## MESSAGE FROM THE GOVERNOR.

May 2d, 1899.

Mr. Speaker:

I am directed by the Governor to communicate to the House a message in writing.

Very respectfully,

CHAPPELL CORY,  
Private Secretary.

## GOVERNOR'S MESSAGE.

GENTLEMEN OF THE GENERAL ASSEMBLY:

Since your adjournment the discussion of the act submitting to the electors of the State the question as to whether or not they desired a Constitutional Convention to be held, has aroused so much opposition and dissention, a thing certainly not contemplated by you, and has been so productive of discord, that, after obtaining the advice of a majority of each House so to do, I have felt it my duty, in accordance with that



advice, to assemble you in special session. In your discussion of the measure before its passage, it was declared to be a question high above partisan politics, and one that should command the aid and approval of the best men of all parties, as it involved the framing of a new organic law suitable to our present conditions and needs.

#### THE DEMOCRATIC CONVENTION.

You had scarcely separated when a convention of the Democratic party was called to nominate the delegates at large provided for in the act. A great many Democrats did not know that such a measure had become a law, a still greater number were totally unacquainted with its provisions, and not the slightest intimation was given by the committee or the press that it was contemplated to be made a party question. From the best information attainable I can state that there was practically little interest taken in the primaries, except in four or five counties where local contests developed some votes. In all the State there was not exceeding twenty thousand Democrats, or about one-seventh of the party, that participated in the primaries.

The convention thus elected assembled and took action that was claimed by the friends of the movement to bind the conscience and forestall the judgment of every Democrat in the State on the vital question as to whether or not they desired a new Constitution to be established. The right given every voter by you under the act was alleged to have been taken away from them by the convention.

The power of the convention, thus called and elected, to shackle Democrats was denied by many. Subsequently the Executive Committee of the Democratic Party, apparently not satisfied that the convention had sufficiently shackled Democrats, proceeded, by a vote of 18 out of a total of 34 members, to declare it a party question so far as it could. Now it is claimed that those eighteen gentlemen, a number

of whom were candidates for seats in the convention, and for like interest, could not have sat on a jury where five dollars was involved, have taken away not only the right of Democrats to vote their honest convictions, but have completely deprived the General Assembly or the Democratic members thereof, of the right to consider further this question.

#### A TIME FOR COUNSEL.

The state of public mind, the supineness of the press that tolerates the extraordinary claim that a bare majority, or even all, of an executive committee, the creatures of the party and chosen to execute, not declare, its will, can not only dominate and dictate to their creators, the 150,000 Democrats in the State, but absolutely control and direct the action of the General Assembly in a matter involving the overthrow of the present organic law of our State, shows that it is time for those who have been fairly chosen by the people and are under solemn obligations to care for the prosperity and well being of the State, to assemble and take counsel together.

If an executive committee can declare party questions; if that doctrine be once established, it will only be necessary in the future for the committee of the dominant party in the General Assembly to have introduced such measures as they may personally desire, declare them party questions and compel the General Assembly to enact them into laws, or be pronounced as bolters and traitors to their party.

It may be remembered that this same committee refused to endorse a bill introduced amending the convention act and making it obligatory to submit any Constitution that might be adopted to a vote of the people for ratification.

Instructions have now been issued to the chairmen of county committees in effect to assemble their committees if opposed to the repeal of the act, and have them so declare with requests to their representatives to vote accordingly, but if they should favor a repeal

it is intimated that it is inexpedient to call them together.

#### NATURE OF THE ATTACK.

Scandalous attacks have been made upon the Chief Executive of the State, not for acting on his own judgment, but for asking and accepting and acting on the advice given him by a decided majority of the Senators and Representatives of the General Assembly. No more bitter attacks could have been made had he called on those proposed to be disfranchised, or on some disreputable and worthless characters, for advice.

The supreme effort in this novel method of warfare is to be had to-night. For the first time in the history of Alabama, a mass meeting is called, chairmen of county committees and others summoned to attend, and, under the direction of the State committee, a final effort is to be made to intimidate and coerce the judgment of members of the General Assembly in the gravest matter possible for them to consider. It is proclaimed that Senators from this State, the creatures of the General Assembly, are to instruct the members in their duties, and that members of Congress are to join in this gratuitous and unsought advice.

#### A TIME FOR CALM DELIBERATIONS.

Occasion comes in the history of all nations and people when madness seems to seize upon some, calm deliberation and patriotic judgment are attacked, and the motives of all who dare to warn of the perils threatened are assailed. At such times comes the opportunity of those who are most reckless as to the future and most ambitious of the present.

These are the times when the representatives of the people should stand unmoved by the surging waves of passion or the voice of ambition, and, resisting all attempts, by any person or faction, to coerce

their judgment, courageously perform their duty to the people by taking such wise and prudent action as shall remove the cause of irritation and restore peace and moderation.

#### MACHINE RULE.

We have practically ceased to hear any arguments tending to show any necessity for the overthrow of the present Constitution, except that some convention or committee has so decreed.

The extremities to which the advocates of a Constitutional Convention are driven are shown by the fact that they are unwilling to trust even the members of their own party to cast an unshackled vote on the question.

A cause that must be sustained by the denunciation of those opposing it, and the intimidation of the weak and the ambitious, is one that should go down in dishonored defeat.

If the white Democrats of Alabama cannot be trusted to vote intelligently and correctly upon any question, without dictation or threats of the party lash, it seems a solemn mockery to discuss the question of disfranchising negroes. No disfranchisement can be more galling or humiliating, more subversive of real manhood than to permit a man to cast a ballot and then command him how it shall be cast.

#### DISTRUST OF THE PEOPLE.

Some apprehension has been expressed that I am unwilling to trust the people. It comes with ill-grace from those who are unwilling to trust their own party without binding them hand and foot. The trouble is, that the people are not willing to trust the politicians and prefer to attend to their own business.

#### BEGOTTEN IN DEFAMATION.

The kind of a Constitution we are liable to get, if

the members of the convention are to be influenced by those now leading the movement, and by the newspapers which, mistaking abuse for argument, are pouring out the vials of their wrath in shameful denunciation of all opposing their ideas, can be better imagined than described. A convention begotten by intolerance and defamation can hardly be fruitful in good results.

#### WHITE SUPREMACY.

Under the pledges given in the platform adopted, it is claimed by the advocates of the convention that the main question to be considered is an amendment that will secure white supremacy, that no time should be lost, but the greatest haste be taken to accomplish this. I suppose there are few thoughtful citizens, white or black, who do not believe that some change should be made in this direction. The necessity for hot haste, haste that will not permit any reflection, is not apparent. White supremacy is as complete and all-pervading to-day throughout the jurisdiction and domain of our State as it is possible to be. There is not a negro in all the commonwealth holding an office under the present Constitution, not a justice of the peace, not a constable nor a single member of the General Assembly, nor has there been one for nearly a generation.

#### WHY NOT HASTE?

All the officials in, and the members of the General Assembly from the black belt hold unclouded titles to their offices. Most of them received every vote that was cast in their several counties and districts, and have the confidence and respect of their constituents, white and black. So it is with our Congressmen. What necessity demands an expedition that will necessarily involve a large expense to the people and threatens to stir up passion and prejudice, discord and dissension, is not apparent.

## RETREAT OF ITS ADVOCATES.

The advocates of a convention have retreated from one position to another until they are now fighting behind the last breastworks of defense—the party issue. When the bill was passed it was claimed that the convention method was the best, because it was absurd to submit to those to be disfranchised an amendment disfranchising them; that a Constitution need not be submitted; that many changes were needed; that the judicial system needed revision; that local taxation should be had for schools; and the act directed and commanded that the limit of taxation in our greatest and most progressive city should be increased to \$1.25 on the hundred dollars of property for municipal purposes. If the pledges made are kept according to their spirit, then practically every contention has been abandoned, except possibly the increased tax rate named above, and any Constitution framed with its disfranchising clause is to be submitted to the electors to be disfranchised for ratification.

## THE SUFFRAGE.

It seems to me that the franchise can be settled with less friction and more certainty and security by a plain amendment that the people can understand and vote upon intelligently than by the framing of a new Constitution. If any material changes be made in the Constitution in any other respect, and immaterial ones should not be considered, then every elector opposed to any one of the changes made would vote against the whole instrument; whereas, a simple and plain suffrage amendment would command not only the intelligent and uncoerced vote of every Democrat, but of practically all the white and many intelligent colored voters in the State.

Why should a method be adopted that has certainly aroused serious opposition in the Democratic ranks, and the complete antagonism of all other parties

when the same result can be obtained without friction?

Why should not all the friends of a cleaner and better and safer franchise be united in one harmonious phalanx instead of courting distaster?

What other provisions of our Constitution are at this time oppressing the people or retarding the growth of the State? Not one has been pointed out by the advocates of a new Constitution, and the eagerness and bitterness and recklessness with which the fight is made to whip men into line in support of a convention is enough to excite the apprehension and alarm of all conservative citizens.

#### WARNINGS FROM THE PAST.

We have had several conventions in Alabama that have taught us lessons that seem to have been forgotten. In 1861 a convention passed an ordinance severing our relations with the Federal Government by a narrow margin and without submitting their action to the people, and it resulted in tears and bloodshed, the loss of many noble lives, the destruction of many homes and in desolation and distress. Scarcely anything was saved to us but the imperishable glory of our arms, the memory of the splendid achievements of our bretheren and fathers.

Again, in 1868, a Constitution was thrust upon the people of Alabama, the Democrats accepting the party dictate to touch not, taste not and handle not the unclean thing, that resulted in binding us hand and foot for years to the domination of the most reckless crew that ever disgraces civilized government.

#### ALLEGED TO BE HEDGED.

To quiet all apprehension, it is now alleged that the action of the convention has so hedged about and bound the delegates with pledges that they can now be trusted to do no evil things, and that they will submit their work to the ratification of the people.

To whom it is to be submitted is not stated, but considering the recent past we cannot doubt that if submitted at all, the submission will be accompanied by an order to vote for its ratification or be denounced as bolters and traitors.

#### SECURITY NOT GIVEN.

No security is given that a single one of these pledges will be faithfully observed and carried out, and the record of loyalty to platforms and pledges of so many nominees does not command unlimited confidence. It is possible that it may hereafter be claimed that these pledges bind only the thirty-three delegates nominated by the convention, and are inoperative and void as to the hundred members coming from the several counties.

It is also to be observed that there are honorable members of this General Assembly, who were elected on distinct pledges made to their constituents that they would oppose a constitutional convention, who have found sufficient cause to change their minds on this subject and vote the other way.

But if the pledges are entirely worthy of our confidence, then the pledges made are quite significant.

The present Constitution,

1st. Prohibits an increase of the State debt and the issuance of bonds.

2d. Forbids the loan of money or credit to corporations by the State or any county or city.

3d. Forbids imprisonment for debt.

4th. Provides a homestead exemption to shelter every family in the State.

5th. Secures the right of the people to elect their officials.

6th. Forbids any religion to be established by law or any religious test for office.

7th. Secures the right of trial by jury.

These and many other provisions are dear to the people of Alabama, and no pledge forbids the convention from tampering with them.



## THE JEFFERSON COURT CASE.

Complaint has been made that I have ignored one of these provisions in urging and approving the abolition of the Court of County Commissioners of Jefferson county without giving them a trial by jury, and intimation is made that I am the only Democratic Governor who has so acted. The court in Montgomery county was abolished with Governor Houston's approval, and nearly all of my predecessors have approved similar bills. These courts had proven themselves unfaithful, and had the drawing of the juries before whom they professed a desire to be tried. I feared that in the drawing of the jury a "party issue" would be made and the people, whose trust they had betrayed, would be utterly helpless.

## GROWTH UNDER PRESENT CONSTITUTION.

The present Constitution went into operation in December, 1875, nearly a quarter of a century since. At that time our population was about 1,000,000; the assessed values of our property, \$135,000,000; the appropriations for public schools, \$231,841.89; railroad mileage, 1,793.

Our population has grown to nearly two millions; our assessed values have increased to \$256,000,000; our appropriations for public schools now exceeds one million dollars; we have nearly 4,000 miles of railroads; a great number of factories and furnaces have been erected; cities have sprung up on then barren and unproductive fields; churches and schools are spreading light and truth in dark places; the laws are enforced, life and property are secure, the public credit has reached the highest mark in the history of the State, and our commonwealth stands in the front rank of all the sisterhood in inviting security for and the profitable investment of capital.

A Constitution that has fostered all this growth and development, that has sheltered the homes and persons of our people so many years, should not be

overthrown with impunity. The curse of Holy Writ is upon those who remove the ancient landmark.

#### AMENDMENT ON THE SUFFRAGE.

Ninety per cent. of the advocates of a new Constitution desire it for no other purpose than to secure a limitation of the suffrage. I see no reason at all why the members of the General Assembly are not quite as competent to prepare such an amendment as the members of a Constitutional Convention. In fact, from the heat and fury that seems to possess so many of the candidates for seats in the convention, I fear that they are incapable of giving to the subject such calm and patriotic consideration as will commend any amendment to the favor of the people. If the lawful representatives of the people, sitting here with undeniable titles, can not frame an amendment that will meet their own approval, how can it be hoped that a convention can frame an amendment that will meet with the approval of the people?

#### PRIMARY LAW.

It seems to me that the passage of a law under which primary elections can be held that will guarantee absolute fairness in the vote and the count, will do more to secure the co-operation of all honest men, prevent rings and cliques from dominating the party, and secure fair elections, than anything else. It is a lamentable fact that there is to-day more complaint of fraud and the use of illegal and corrupt methods in the primaries than in the elections. These primaries are the very springs and sources of all political government, and if these cannot be preserved pure and clean there is little hope that the descending streams will not be defiled and polluted.

#### POWER OF LEGISLATURE.

I submit with this message an opinion from Hon.

R. C. Brickell, for so many years the Chief Justice of our State, as to your power to repeal the act. It is hardly necessary for, or becoming in me, to venture an opinion on this subject after it has been considered by one whose patriotism, ability and learning commands the admiration of every citizen in our State, and the respect and confidence of the highest tribunals in all the Union.

LEAVE IT TO YOU.

I leave this whole matter in your hands. I have called you in special session by your own advice. I have every confidence that you will consider the tranquility of the people and the safety of our institutions and the honor of our commonwealth under the sanctity of your oaths, and I trust that the God of our fathers, the God who proclaimed peace and good will on earth, will so order and direct your counsels that you may be led to such wise and honest and patriotic conclusions as will tend to still the voice of passion and promote the general welfare.

JOS. F. JOHNSTON,  
Governor.

Five thousand copies of the Governor's message were ordered printed for the use of the House.

## RESOLUTIONS.

Mr. Davis offered the following resolution:

*Resolved*, That no clerks be employed for the House committees during the present session of the General Assembly.

Mr. Bulger offered the following amendment:

Amend the resolution, so as to provide that the resolution shall not apply to the committees on the judiciary, and privilege and elections, and that the two committees have only one clerk.

Mr. Bibb offered the following amendment:

Amend so as not to apply to the clerk of the committee on Journal.

Both amendments were accepted by Mr. Davis, and the rules were suspended and the resolution adopted.

### BILLS ON FIRST READING.

The order of business being miscellaneous business, the following bills were introduced, severally read the first time, and referred to appropriate committees, as follows:

By Mr. Mitchell—

H. 1. To pay the expenses of the General Assembly of Alabama for the extra session called to meet on the second day of May, 1899.

Judiciary.

By Mr. Brandon—

H. 2. To repeal an act entitled "An act to provide for holding a convention to revise and amend the Constitution of this State, and for the submission of the question—Convention or No Convention—to a vote of the electors," approved December the 16th, 1898.

Judiciary.

By Mr. Hubbard—

H. 3. To repeal an act entitled "An act to provide for holding a convention to revise and amend the Constitution of this State, and for the submission of the question—Convention or No Convention—to a vote of the electors of the State," approved December the 16th, 1898.

Special committee, composed of the following members: Messrs. Hubbard, Moody, Flewellen, Graves, Burkhalter, Brandon, Smith of Baldwin, Reynolds, Harwood, Pettus, Robinson, Dameron, Miller.

### COMMITMENT OF H. 3.

H. 3. Mr. Hubbard moved that the bill, H. 3, be referred to a special committee, consisting of the following members:

Messrs. Hubbard, Moody, Flewellen, Graves, Burkhalter, Brandon, Smith of Baldwin, Reynolds, Harwood, Pettus, Robinson, Dameron, Miller.

The Speaker requested that the motion be reduced to writing, in the form of a resolution, which was done, and the Speaker, under the rules, referred the resolution to the committee on rules.

Mr. Cofer moved that the bill just named be referred to the special committee named by Mr. Hubbard.

The Speaker ruled the motion out of order, unless reduced to writing (the Speaker having requested it to be put in writing).

Mr. Heflin of Chambers moved to adjourn till 10 o'clock to-morrow morning.

The motion was lost. Yeas, 33; nays, 54.

Yeas:

Messrs. Speaker, Andress, Arrington, Bayles, Bulger, Cannon, Carson, Collier, Dameron, Davidson, George, Gibson, Godbold, Harwood, Heflin of Chambers, Heflin of Randolph, Hurt, Jones of Bullock, Jones of Covington, Jones of Wilcox, Lee, McQueen, Patterson, Pettus, Poole, Riggs, Rogers, Screws, Stodghill, Tate, Tunstall, Vaughan, Wallace—33.

Nays:

Messrs. Bibb, Box, Brandon, Bruner, Burkhalter, Byars, Capps, Cheatham, Cornelius, Daves, Davis, Delchamps, Doster, Edwards, Flewellen, Forrester, Fuller, Garner, Garrett, Graves, Green, Hardie, Harris, Haynie, Henry, Hollis, Hood, Houston, Hubbard, Hney, Jarrett, Kelly, Killen, Knight, Long, Lyle, Maddux, Marbut, Miller, Mitchell, Moody, McCain, McRee, Porter, Reynolds, Robinson, Rousseau, Sloan, Smith of Baldwin, Smith of Escambia, Spears, Sturdivant, Sullivan, Thigpen—54.

Mr. Harwood offered the following substitute for Mr. Cofer's resolution:

Moved as a substitute for the motion, that this bill be referred to a committee of the whole House.

The Speaker referred the resolution and substitute to the committee on rules.

Mr. Brandon raised the point that the question should be put to vote of the House, and not referred, and the Speaker overruled the point.

Mr. Brandon appealed from the decision of the chair, and the ruling of the chair was not sustained. Yeas, 36; nays, 48.

Yeas:

Messrs. Andress, Arrington, Bayles, Bulger, Cannon, Carson, Collier, Dameron, Davidson, Davis, Doster, George, Gibson, Godbold, Harwood, Haynie, Heflin of Chambers, Heflin of Randolph, Houston, Hurt, Jones of Bullock, Jones of Covington, Jones of Wilcox, Lee, McQueen, Patterson, Pettus, Poole, Riggs, Rogers, Screws, Stodghill, Tate, Tunstall, Vaughan, Wallace—36.

Nays:

Messrs. Bibb, Box, Brandon, Burkhalter, Byars, Capps, Cheatham, Cornelius, Daves, Delchamps, Edwards, Flewellen, Forrester, Fuller, Garner, Garrett, Graves, Green, Hardie, Harris, Henry, Hollis, Hood, Hubbard, Huey, Killen, Knight, Long, Lyle, Maddux, Marbut, Mathews, Miller, Mitchell, Moody, McCain, McRee, Porter, Reynolds, Robinson, Rousseau, Sloan, Smith of Baldwin, Spears, Sturdivant, Sullivan, Thigpen, White—48.

Mr. Brandon moved to table Mr. Harwood's substitute, and the motion was carried. Yeas, 55; nays, 25.

Yeas:

Messrs. Bibb, Box, Brandon, Brnner, Burkhalter, Byars, Capps, Cheatham, Cornelius, Daves, Davidson, Davis, Delchamps, Doster, Edwards, Flewellen, Forrester, Fuller, Garner, Garrett, Graves, Green, Harris, Haynie, Henry, Hollis, Hood, Honston, Hubbard, Huey, Jarrett, Kelly, Killen, Long, Lyle, Maddux, Marbut, Mathews, Miller, Moody, McCain, McQueen, McRee, Porter, Reynolds, Robinson, Rousseau, Screws, Sloan, Smith of Baldwin, Smith of Escambia, Spears, Sturdivant, Sullivan, Thigpen—55.

Nays:

Messrs. Speaker, Andress, Bayles, Bulger, Cannon, Collier, Dameron, George, Gibson, Godbold, Hardie, Harwood, Heflin of Chambers, Heflin of Randolph, Hurt, Jones of Bullock, Jones of Covington, Lee, Pat-

terson, Pettus, Seymour, Stodghill, Tate, Tunstall, Wallace—25.

Mr. Pettus offered the following as a substitute for Mr. Cofer's motion:

That the bill be referred to a select committee, consisting of the members of the committee on revision of laws and the committee on judiciary.

Mr. Pettus' motion was, on motion of Mr. Cofer, tabled.

Mr. Heflin of Chambers moved to indefinitely postpone Mr. Cofer's motion to refer the bill to special committee.

Mr. Heflin's motion was lost,

And Mr. Cofer's motion to refer the bill to the special committee was carried. Yeas, 59; nays, 24.

Yeas:

Messrs. Bibb, Box, Brandon, Burkhalter, Byars, Capps, Cheatham, Cornelius, Daves, Davis, Delchamps, Doster, Edwards, Flewellen, Forrester, Fuller, Garner, Garrett, Graves, Green, Harris, Haynie, Heflin of Chambers, Henry, Hollis, Hood, Houston, Hubbard, Huey, Jarrett, Kelly, Killen, Knight, Long, Lyle, Maddux, Marbut, Mathews, Miller, Mitchell, Moody, McCain, McGuire, McQueen, McRee, Patterson, Pettus, Poole, Porter, Reynolds, Robinson, Rousseau, Sloan, Smith of Baldwin, Smith of Escambia, Spears, Sturdivant, Sullivan, Thigpen, White—59.

Nays:

Messrs. Speaker, Andress, Cannon, Carson, Dameron, Davidson, George, Gibson, Godbold, Hardie, Harwood, Heflin of Randolph, Hurt, Jones of Bullock, Jones of Covington, Jones of Wilcox, Lee, Pettus, Rogers, Stodghill, Tate, Tunstall, Vaughan, Wallace—24.

Mr. Brandon moved to reconsider the vote by which the motion was carried, and to lay that motion on the table.

The motion, under the rules, goes over till to-morrow.

And the House adjourned till to-morrow morning at 12 o'clock.

## SECOND DAY.

House of Representatives.

Wednesday, May 3, 1899.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Adams, of Chilton.

A quorum was present.

## REVISION OF JOURNAL.

The chairman of the committee on the revision of the Journal submitted the following report:

Mr. Speaker:

Your committee on the House Journal have examined the clerk's record of the proceedings of the House of Representatives of May 2, 1899, and find it to be a true and correct journal of the same.

G. W. L. SMITH,

Acting Chairman.

The report was adopted.

## RECONSIDERATION.

H. 3. Mr. Brandon's motion to reconsider the vote by which H. 3 was on yesterday referred to a special committee, was tabled. Yeas, 58; nays, 30.

Yeas:

Messrs. Bibb, Box, Brandon, Brown, Bruner, Burkhalter, Byars, Capps, Cheatham, Cornelius, Daves, Davis, Delchamps, Doster, Edwards, Flewellen, Forrester, Fuller, Garner, Garrett, Graves, Green, Harris, Haynie, Henry, Hollis, Hood, Houston, Hubbard, Huey, Jarrett, Jones of Bullock, Jones of Lee, Kelly, Killen, Knight, Long, Lyle, Maddux, Marbut, Mathews, Miller, Mitchell, Moody, McCain, McGuire, McRee, Porter, Reynolds, Rousseau, Sloan, Smith of Baldwin, Smith of Escambia, Spears, Sturdivant, Sullivan, Thigpen, White—58.

Nays:

Messrs. Speaker, Andress, Arrington, Bayles, Bul-



ger, Cannon, Carson, Collier, Dameron, Davidson, George, Gibson, Godbold, Hardie, Harwood, Heflin of Randolph, Hurt, Jones of Covington, Jones of Wilcox, Lee, Patterson, Pettus, Riggs, Rogers, Screws, Stodghill, Tate, Tunstall, Vaughan, Wallace—30.

### BILLS ON SECOND READING.

The chairman of the special committee reported favorably on the following bill, (with minority report) :

H. 3. To repeal an act entitled "An act to provide for holding a convention to revise and amend the Constitution of this State, and for the submission of the question—Convention or No Convention—to a vote of the electors of the State," approved December the 16th, 1898.

The above and foregoing bill was read a second time and placed on the calendar.

### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows:

By Mr. Davis—

H. 4. To regulate primary elections of recognized political parties in the State of Alabama.

Privileges and Elections.

By Mr. Miller—

H. 5. To submit to a vote of the qualified electors at the general State election of 1900, an amendment of Article 8 of the Constitution of the State of Alabama.

Judiciary.

### COMMITTEE ON RULES.

The Speaker appointed on the committee on rules, in the room of Mr. Kyle (resigned), Mr. Wallace.

## RESOLUTIONS.

Mr. Tunstall offered the following resolution, which was referred to the committee on rules:

WHEREAS, His Excellency, the Governor, in his message, recommends some amendments to the existing Constitution; and,

WHEREAS, This session was convened for the consideration of the question of repealing the act calling a Constitutional Convention, and also of submitting amendments to the existing Constitution; therefore, be it

*Resolved*, That no bill to repeal the act calling a Constitutional Convention shall be ordered to a third reading until the question of submitting amendments to the existing Constitution shall have been disposed of.

## JOINT SESSION.

At the hour of 12:30 p. m. the Senate, on the invitation of the House, assembled in the hall of the House, and listened to the address of Senator Pettus to the General Assembly, in accordance with the joint resolution heretofore adopted.

The House adjourned till 12 o'clock to-morrow.

## THIRD DAY.

House of Representatives.

Thursday, May, 4, 1899.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Marbut, of the House.

## REVISION OF THE JOURNAL.

The chairman of the committee on the revision of

the Journal submitted the following report:

Mr. Speaker:

Your committee on the House Journal have examined the Clerk's record of the proceedings of the House of Representatives of May 3, 1899, and find it to be a true and correct journal of the same.

W. C. BIBB,  
Chairman.

The report was adopted.

### PAIR OF VOTES.

The following pairs were announced on the main question and all preliminary questions, on the passage of the bill H. 3, commonly known as the repeal of the Constitutional Convention bill, the first named gentlemen being in favor of, and the last named opposed to the passage of the bill;

Mr. Rousseau with Mr. George; Mr. Burkhalter with Mr. Gibson.

### RESOLUTIONS.

The resolution offered by Mr. Tunstall on yesterday was favorably reported by the rules committee.

Mr. Cofer moved to table the resolution, and the motion was carried. Yeas, 56; nays, 36.

Yeas:

Messrs. Bibb, Box, Brandon, Bruner, Burkhalter, Byars, Capps, Cheatham, Cofer, Cornelius, Daves, Delchamps, Doster, Edwards, Flewellen, Forrester, Foster, Fuller, Garner, Garrett, Graves, Green, Harris, Haynie, Henry, Hollis, Hood, Hubbard, Huey, Jarrett, Jones of Lee, Kelly, Killen, Knight, Long, Lyle, Maddux, Marbut, Mathews, Miller, Mitchell, Moody, McCain, McGuire, McRea, Porter, Reynolds, Robinson, Sloan, Smith of Baldwin, Smith of Escambia, Spears, Sturdivant, Sullivan, Thigpen, White.  
—56.

Nays:

Messrs. Speaker, Andress, Arrington, Bayles, Bul-

ger, Cannon, Carson, Collier, Dameron, Davidson, Davis, Gibson, Godbold, Hardie, Harwood, Heflin of Chambers, Heflin of Randolph, Houston, Hurt, Jones of Bullock, Jones of Covington, Jones of Wilcox, Lavretta, McQueen, Patterson, Pettus, Poole, Riggs, Rogers, Screws, Seymour, Stodghill, Tate, Tunstall, Vaughan, Wallace—36.

Mr. Cofer offered the following resolution; the rules were suspended, and the resolution adopted:

WHEREAS, It is charged this morning upon the streets of this city, and in and around this Capitol, that attempts have been made to unlawfully influence the votes of members of this House upon the passage of the bill now pending before the House entitled "An act to repeal an act entitled 'An act calling a Constitutional Convention in this State;'" therefore, be it

*Resolved*, That a committee of five be appointed by the Speaker of this House, with the power of investigating said charges and with powers to call before them such persons as they see proper, and require the production of such papers, writings, and summon and swear witnesses as will insure a full, fair and complete investigation of such charges, and report to this House within the next five days the result of such investigation.

The Speaker appointed as the committee, Messrs. Cofer, Bulger, Rogers, Pettus and Brown of Colbert.

#### INTRODUCTION OF BILLS.

The following bill was introduced, read one time, and referred to an appropriate committee, as follows:

By Mr. Burkhalter—

H. 6. To establish a new charter for Ensley, Alabama.

Corporations.

#### BILLS ON SECOND READING.

The following bill was favorably reported from the committee on judiciary, read a second time, and

placed on the calendar :

H. 1. To pay the expenses of the General Assembly of Alabama for the extra session called to meet on the second day of May, 1899.

### COMMITTEE ASSIGNMENTS.

The Speaker named Mr. Tunstall as chairman of the judiciary committee, in the room of Mr. Kyle, resigned; and he appointed Mr. Vaughan to fill the vacancy on the judiciary committee.

### BILLS ON THIRD READING.

H. 3. To repeal an act entitled "An act to provide for holding a convention to revise and amend the Constitution of this State, and for the submission of the question—Convention or No Convention—to a vote of the electors of the State," approved December the 16th, 1898,

Was taken up.

The question being consideration of the minority report, Mr. Brandon moved to table the minority report.

Mr. Waller moved to indefinitely postpone both the minority and majority reports.

Mr. Cofer made the point of order that Mr. Waller's motion was out of order, because not germane to the pending question.

The Speaker (Mr. Pettus in the chair) ruled that the point was not well taken.

Mr. Cofer made the point of order that Mr. Waller's motion was out of order because a motion to table was pending.

The Speaker (Mr. Pettus in the chair) ruled that the point was not well taken, because the motion to indefinitely postpone, under the rules of the House, takes precedence of a motion to table.

Mr. Brandon moved as a substitute for Mr. Waller's motion, that the minority report be indefinitely postponed.

Pending consideration of the question, Mr. Davis moved that the House remain in session until the pending motion and the bill are disposed of; and the motion was carried by unanimous consent.

Pending consideration of the question, Mr. Davis moved (and the motion was unanimously agreed to) that the opponents of the bill have three hours within which to discuss the question; that the friends of the bill have one hour to discuss the question; and that at 8 o'clock this afternoon a vote be taken, unless the friends of the bill desire further time,

And the bill was read a third time, at length, and passed. Yeas, 60; nays, 34.

Yeas:

Messrs. Bibb, Box, Brandon, Bruner, Byars, Capps, Cheatham, Cofer, Collier, Cornelius, Daves, Davis, Delchamps, Doster, Edwards, Flewellen, Forrester, Foster, Fuller, Garner, Graves, Green, Harris, Haynie, Henry, Hollis, Hood, Houston, Hubbard, Huey, Jarrett, Jones of Bullock, Jones of Lee, Kelly, Killen, Knight, Long, Lyle, Maddux, Marbut, Mathews, Miller, Mitchell, Moody, McCain, McGuire, McRee, Porter, Reynolds, Robinson, Rousseau, Sloan, Smith of Baldwin, Smith of Escambia, Spears, Sturdivant, Sullivan, Thigpen, Tunstall, White—60.

Nays:

Messrs. Speaker, Andress, Arrington, Bayles, Brown, Bulger, Cannon, Carson, Dameron, Davidson, Garrett, George, Godbold, Hardie, Harwood, Heffin of Chambers, Heffin of Randolph, Hurt, Jones of Covington, Jones of Wilcox, Lavretta, Lee, McQueen, Patterson, Pettus, Poole, Riggs, Rogers, Screws, Seymour, Stodghill, Tate, Vaughan, Wallace—34.

Mr. Tunstall moved to reconsider the vote by which the bill passed.

Under the rules the motion goes over till to-morrow morning.

And the House adjourned till to-morrow morning at 10:30 o'clock.

## FOURTH DAY.

House of Representatives.

Friday, May 5, 1899.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Cornelius, of the House.

A quorum was present.

## REVISION OF JOURNAL.

The chairman of the committee on the revision of the Journal subitted the following report:

Mr. Speaker:

Your committee on the House Journal have examined the Clerk's record of the proceedings of the House of Representatives of May 4, 1899, and find it to be a true and correct journal of the same.

W. C. BIBB,  
Chairman.

The report was adopted.

## INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows:

By Mr. Bulger—

H. 7. To provide for submitting to the qualified electors of Alabama, at the general State election in 1900, an amendment to Section 1 of Article 13 of the Constitution of the State of Alabama.

Judiciary.

By Mr. Haynie—

H. 8. To submit to a vote of the qualified electors at the general State election in 1900 an amendment to Article 13 of the Constitution of Alabama, to be known as Section 12.

Judiciary.

## RECONSIDERATION.

Mr. Brandon moved to table the motion of Mr. Tunstall to reconsider the vote by which

H. 3. To repeal an act entitled "An act to provide for holding a convention to revise and amend the Constitution of this State, and for the submission of the question—Convention or No Convention—to a vote of the electors of the State," approved December the 16th, 1898,

Was passed on yesterday.

Mr. Brandon's motion was carried. Yeas, 53; nays, 26.

Yeas:

Messrs. Box, Brandon, Bruner, Byars, Capps, Cheatham, Cofer, Cornelius, Daves, Delchamps, Doster, Edwards, Flewellen, Forrester, Foster, Fuller, Garner, Garrett, Graves, Green, Harris, Haynie, Henry, Hollis, Houston, Hubbard, Huey, Jarrett, Jones of Bullock, Jones of Lee, Kelly, Killen, Knight, Long, Lyle, Maddux, Marbut, Mathews, Mitchell, Moody, McCain, McRee, Porter, Reynolds, Rousseau, Sloan, Smith of Baldwin, Smith of Escambia, Spears, Sturdivant, Sullivan, Thigpen, White—53.

Nays:

Messrs. Speaker, Andress, Arrington, Bayles, Bulger, Cannon, Carson, Davidson, George, Hardie, Harwood, Hefflin of Randolph, Hurt, Jones of Covington, Jones of Wilcox, Patterson, Pettus, Riggs, Rogers, Screws, Seymour, Stodghill, Tate, Tunstall, Vaughan, Wallace—26.

## ADJOURNMENT.

Mr. Hubbard moved that when the House adjourn to-day it adjourn to meet again on Monday next, at 12 o'clock.

The motion was carried.



## BILLS ON THIRD READING.

H. 1. To pay the expenses of the General Assembly of Alabama for the extra session called to meet on the second day of May, 1899,

Was read a third time, at length, and passed. Yeas, 59; nays, 16.

Yeas:

Messrs. Address, Arrington, Box, Brown, Byars, Capps, Cheatham, Cofer, Collier, Cornelius, Daves, Delchamps, Edwards, Flewellen, Forrester, Fuller, Garner, Garrett, Graves, Green, Hardie, Harris, Haynie, Heflin of Randolph, Henry, Hollis, Hood, Hubbard, Huey, Hurt, Jarrett, Jones of Bullock, Jones of Lee, Jones of Wilcox, Kelly, Killen, Knight, Levretta, Long, Lyle, Maddux, Marbut, Mathews, Mitchell, Moody, McCain, McGuire, McRee, Porter, Reynolds, Rogers, Rousseau, Sloan, Smith of Baldwin, Smith of Escambia, Stodghill, Sullivan, Thigpen, White—59.

Nays:

Messrs. Speaker, Bayles, Bibb, Bulger, Carson, Davidson, Davis, Doster, Harwood, Jones of Covington, Patterson, Pettus, Riggs, Seymour, Tunstall, Vaughan—16.

## BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills:

H. 6. To establish a new charter for Ensley, Alabama.

H. 4. (Without recommendation, with substitute.) To regulate primary elections of recognized political parties in the State of Alabama.

The above and foregoing bills were severally read a second time, and placed on the calendar.

H. 4. Three hundred copies of H. 4 were ordered printed.

The House adjourned till 12 o'clock m. Monday next.

## FIFTH DAY.

House of Representatives.

Monday, May 8, 1899.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Garrett, of the House.

A quorum was present.

## REVISION OF JOURNAL.

The chairman of the committee on revision of the Journal submitted the following report:

Mr. Speaker:

Your committee on the House Journal have examined the Clerk's record of the proceedings of the House of Representatives of May 5, 1899, and find it to be a true and correct journal of the same.

W. C. BIBB,  
Chairman.

The report was adopted.

## LEAVE OF ABSENCE

Was granted to Messrs. Cannon, Cofer, Sturdevant, Foster, Bayles, indefinitely; to Mr. Davidson for to-day; to Mr. Gibson indefinitely, and to Messrs. Mathews and Huey for to-day.

## INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows:

By Mr. Brown—

H. 9. To submit to the people of the State, at the general election to be held in August, 1900, for their consideration, an amendment to Article eight of the Constitution of the State of Alabama, providing for the regulations of suffrage and the qualifications of electors.

Judiciary.

By Mr. Godbold—

H. 10. To repeal an act entitled "An act to increase the State revenues of the public schools of the State of Alabama," approved February 23d, 1899.

Education.

By Mr. Moody—

H. 11. To provide for submitting to the qualified electors of Alabama, at the general State election in 1900, an amendment to Article VIII, Section 1, of the Constitution of Alabama.

Judiciary.

By Mr. Wallace—

H. 12. To submit to the people of the State at the general election, to be held on the first Monday in August, 1900, for Representatives, for their consideration, an amendment to Section five, Article five of the Constitution, providing for the election of Governor, Secretary of State, State Treasurer, State Auditor, Attorney General, Commissioner of Agriculture, and State Superintendent of Education, for a term of office of four years, and declaring them ineligible to succeed themselves in office.

Judiciary.

By Mr. Doster—

H. 13. To submit to the qualified electors, at the general State election in 1900, an amendment in the form of additional sections to Article VIII of the Constitution of Alabama, providing for quadrennial elections.

Judiciary.

Mr. McQueen moved that 300 copies of each bill to submit an amendment to the Constitution be printed for the use of the House, and that the bills hereafter introduced be likewise printed.

The motion was carried.

The House adjourned till 12 o'clock m. to-morrow.

## SIXTH DAY.

House of Representatives.

Tuesday, May 9, 1899.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Garrett, of the House.

A quorum was present.

## REVISION OF THE JOURNAL.

The chairman of the committee on the revision of the Journal made the following report:

Mr. Speaker:

Your committee on the House Journal have examined the Clerk's record of the proceedings of the House of Representatives of May 8th, 1899, and find it to be a true and correct journal of the same.

W. C. BIBB,

Chairman.

The report was adopted.

## LEAVE OF ABSENCE

Was granted to Messrs. Mitchell, Smith of Escambia, and Burkhalter for to-day.

## GOVERNOR'S MESSAGE.

GENTLEMEN OF THE GENERAL ASSEMBLY:

Having repealed the bill submitting to the electors the question of calling a Constitutional Convention, I respectfully submit to you that an equally imperative duty still remains. It is no less important that you consider and adopt and submit to the voters for their ratification such wise amendments to our Constitution as will more securely establish the government of our State in the hands of those whose wisdom and patriotism will guarantee to our people security to person and property and equality in the burdens and opportunities of citizenship. This duty rests

equally upon every member, without regard to political association or honest differences, as to the best method to secure these ends. In the consideration of this grave matter we should not permit any personal feeling or desire for political advantage or memory of past differences to possess our hearts or obscure our patriotism.

I respectfully recommend that your consideration be directed chiefly to the preparation of a suffrage amendment, and an amendment to make the terms of members of the General Assembly and all county and State officers, except judges of our higher courts, four years. This will put an end to so many elections and save much expense, loss of time and interference with the occupations of the people. To secure prompt action, I recommend that a joint committee of the two Houses be at once raised to consider these matters.

I trust that you will not fail to press the passage of a primary election law that will secure to every elector his share in the government of the State.

Respectfully,

JOS. F. JOHNSTON,

Governor.

May 9th, 1899.

On motion of Mr. Wallace, the foregoing Governor's message was referred to the committee on rules.

#### ADJOURNMENT.

Mr. Davis moved that when the House adjourn, it adjourn to meet again at 4 p. m. to-day.

Mr. Bulger moved as a substitute that when the House adjourn, it adjourn to meet at 10 o'clock a. m. to-morrow.

Mr. Bulger's motion was carried.

#### COMMITTEE OF THE WHOLE.

H. 4. Mr. McQueen moved that the House resolve itself into the committee of the whole to-morrow morning at 10 o'clock, to consider the bill, H. 4, com-

monly known as the primary election law bill.

Mr. Davis moved that the motion be indefinitely postponed,

And Mr. Davis' motion was lost, and Mr. McQueen's motion was carried.

#### MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has passed the following House bill :

H. 3. To repeal an act entitled "An act to provide for holding a convention to revise and amend the Constitution of this State, and for the submission of the question—Convention or No Convention—to a vote of the electors of the State," approved December the 16th, 1898.

JNO. F. PROCTOR,  
Secretary.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker :

Your committee on enrolled bills, having examined the following House bill, find the same correctly enrolled :

H. 3. An act to repeal an act entitled "An act to provide for holding a convention to revise and amend the Constitution of this State, and for the submission of the question—Convention or No Convention—to a vote of the electors of the State," approved December the 16th, 1898.

H. A. KILLEN,  
Chairman.

#### SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after its title had been publicly read by the Clerk, signed the bill whose title is set out in the foregoing report of the committee on enrolled bills.

## INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows:

By Mr. Jones, of Bullock—

H. 14. To submit to the qualified electors of the State at the general election in August in the year nineteen hundred, an amendment for Section three of Article four of the Constitution of the State of Alabama.

Judiciary.

By Mr. Seymour—

H. 15. To submit to the qualified electors at the general State election in 1900, an amendment to Article thirteen of the Constitution of Alabama, striking out Section 11 of said Act.

Special committee of five, viz: Messrs. Lyle, Thigpen, Garner, Harris, Robinson.

By Mr. Screws—

H. 16. Proposing amendments to Article 8 of the Constitution.

Judiciary.

By Mr. Graves—

H. 17. To submit to a vote of the qualified electors of this State, at the general election to be held in the year 1900, for the election of Representatives, an amendment of Article VIII of the Constitution of the State of Alabama.

Judiciary.

And the House adjourned till 10 o'clock to-morrow morning.

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 SEVENTH DAY.

House of Representatives.

Wednesday, May 10, 1899.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Morbert of the House.

A quorum was present, on a call of the roll by Jno. D. Bibb, Page of the House.

### REVISION OF THE JOURNAL.

The chairman of the committee on the revision of the Journal made the following report:

Mr. Speaker:

Your committee on the House Journal have examined the Clerk's record of the proceedings of the House of Representatives of May 9th, 1899, and find it to be a true and correct journal of the same.

W. C. BIBB,  
Chairman.

The report was adopted.

### LEAVE OF ABSENCE

Was granted to Messrs. Smith, of Escambia, for to-day; Box indefinitely; Burkhalter for to-day, and Mitchell indefinitely.

### MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the Senate joint resolution herewith sent, relative to the appointment of a joint committee of six from the House and five from the Senate to consider amendments to the Constitution.

Committee on part of the Senate: Messrs. Moody, Brown, Horton, Sowell of Walker and Deans of Shelby.

JNO. F. PROCTOR,  
Secretary.

### SENATE MESSAGE.

The House concurred in the Senate joint resolution mentioned in the foregoing message from the Senate.

Committee on part of the House: Messrs. Hurt, Tunstall, Forrester Graves, Spears and White.



### DEATH OF MR. SEAY.

On motion of Mr. Davis, a committee of three was ordered to be appointed by the Speaker to draft appropriate resolutions on the death of Mr. Seay, late a Representative from Lamar county.

The Speaker appointed as chairman of the committee, Mr. Davis, and requested him to name the other two members of the committee.

### COMMITTEE OF THE WHOLE HOUSE.

H. 4. The House resolved itself into a committee of the whole to consider the bill, H. 4, commonly known as the primary election bill.

The Speaker named Mr. Lee as the chairman of the committee of the whole.

The committee rose, reported progress to the House, and asked further time, which was granted.

And the House adjourned till to-morrow morning at 11 o'clock.

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### EIGHTH DAY.

House of Representatives.

Thursday, May 11, 1899.

The House met pursuant to adjournment.

Prayer by Rev. Mr. McCain, of the House.

A quorum was present.

### REVISION OF JOURNAL.

The chairman of the committee on the revision of the Journal submitted the following report:

Mr. Speaker:

Your committee on the House Journal have examined the Clerk's record of the proceedings of the

House of Representatives of May 10th, 1899, and find it to be a true and correct journal of the same.

W. C. BIBB,  
Chairman.

The report was adopted.

### LEAVE OF ABSENCE

Was granted to Messrs. Davis, Mitchell, Rousseau and Burkhalter indefinitely, and to Mr. Doster to-day.

### RESOLUTIONS.

Mr. Mathews offered the following resolution, which was referred to the committee on rules:

*Resolved.* That after this day this House shall assemble and convene at 10 a. m., and adjourn at 1 p. m. Reconvene at 3 p. m., and adjourn at 6 p. m.

Mr. Cofer offered the following resolution, the rules were suspended, and the resolution adopted:

*Be it resolved by the House,* That hereafter during the session and commencing on the 12th day of May, 1899, the House shall meet at 10 o'clock a. m. and adjourn at 1 o'clock p. m., and reassemble at 3 o'clock p. m. and adjourn at 6 o'clock p. m.

Mr. Cofer offered the following resolution, which was referred to the committee on rules:

*Be it resolved.* That the House remain in continuous session to-day until action has been had upon House bill No. 4, entitled "An act to regulate primary elections of recognized political parties in the State of Alabama.

Mr. Hubbard offered the following resolution, the rules were suspended, and the resolution adopted:

*Resolved by the House, the Senate concurring.* That the members of the joint committee on constitutional amendments on the part of the House are requested to report to this House to-morrow morning, and from day to day, what action has been taken, and what progress made, on the amendments in their hands.

Mr. Tunstall moved that all bills proposing amendments to the Constitution be referred to the special joint committee heretofore raised on constitutional amendments. The motion was carried.

### MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has amended as therein shown, and as amended, has passed

H. 1. "To pay the expenses of the General Assembly of Alabama for the extra session called to meet on the second day of May, 1899,"

And the Senate has adopted Senate joint resolution herewith sent, appointing committee of two from the Senate and three from the House on adjournment.

Committee on part of the Senate: Messrs. Brown and Boykin.

JNO. F. PROCTOR,  
Secretary.

### SENATE MESSAGE.

The House concurred in the Senate joint resolution mentioned in the foregoing message.

Committee on part of the House: Messrs. Heflin of Randolph, Brown and Gibson.

H. 1. And the House concurred in the Senate amendment to the bill, H. 1., whose title is set out in the foregoing Senate message. Yeas, 71; nays, 4.

Yeas :

Messrs. Speaker, Andress, Arrington, Brandon, Brown, Bruner, Bulger, Byars, Capps, Carson, Cheatham, Cofer, Collier, Cornelius, Dameron, Daves, Davidson, Delchamps, Edwards, Flewellen, Forrester, Fuller, Garner, Garrett, George, Gibson, Godbold, Green, Hardie, Harris, Haynie, Heflin of Chambers, Heflin of Randolph, Henry, Hollis, Hood, Houston, Hubbard, Huey, Hurt, Jarrett, Jones of Bullock, Jones of Covington, Jones of Lee, Jones

of Wilcox, Kelly, Killen, Knight, Long, Lyle, Maddux, Marbut, Mathews, Miller, Moody, McCain, McGuire, Patterson, Poole, Porter, Robinson, Rogers, Screws, Seymour, Smith, of Baldwin, Spears, Stodghill, Sturdivant, Sullivan, Thigpen, White—71.

Nays:

Messrs. Lee, Pettus, Riggs, Wallace—4.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on enrolled bills, having examined the following bill, report the same correctly enrolled:

H. 1. An act to pay the expenses of the General Assembly of Alabama for the extra session called to meet on the second day of May, 1899.

H. A. KILLEN,

Chairman.

## SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after its title had been publicly read by the Clerk, signed the bill whose title is set out in the foregoing report of the committee on enrolled bills.

## INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows:

By Mr. Jones, of Lee—

H. 18. To submit to the vote of the qualified electors, at the general election of 1900, an amendment to Article six of the Constitution.

Special Committee on Constitutional Amendments.

By Mr. Fuller—

H. 19. To provide for submitting to the qualified

electors of Alabama, at the general State election in 1900, an amendment to Section 2 of Article 11 of the Constitution of the State of Alabama.

Counties and County Boundaries.

By Mr. Godbold—

H. 20. To provide for submitting to the qualified electors of Alabama, at the general State election in 1900, an amendment to Section 4 of Article 11 of the Constitution of the State of Alabama.

Special Committee on Constitutional Amendments.

By Mr. Moody—

H. 21. To provide for submitting to the qualified electors of Alabama, at the general State election in 1900, an amendment to Article VIII, Section 1 of the Constitution of the State of Alabama.

Special Committee on Constitutional Amendments.

By Mr. Graves—

H. 22. To submit to the qualified electors of the general State election in 1900 an amendment to Article XVI of the Constitution of Alabama, limiting the issue of bonds by counties and municipalities.

Special Committee on Constitutional Amendments.

#### COMMITTEE OF THE WHOLE.

H. 4. The House resolved itself into the committee of the whole House to consider the bill H. 4., commonly known as the primary election law bill. The Speaker named Mr. Lee to preside over the committee of the whole. The committee rose, and through its chairman, Mr. Lee, reported progress to the House, and asked further time, which was granted.

The House adjourned till to-morrow morning at 10 o'clock.

## NINTH DAY.

House of Representatives.

Friday, May 12, 1899.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Garrett, of the House.

A quorum was present.

## REVISION OF THE JOURNAL.

The chairman of the committee on the revision of the Journal submitted the following report:

Mr. Speaker:

Your committee on the House Journal have examined the Clerk's record of the proceedings of the House of Representatives of May 11, 1899, and find it to be a true and correct journal of the same.

W. C. BIBB,

Chairman.

The report was adopted.

## LEAVE OF ABSENCE

Was granted to Mr. Sturdivant indefinitely.

## RESOLUTIONS.

The following resolutions were offered, the rules were suspended, and the resolutions adopted:

By Mr. McCain—

*Resolved*, That the Baby Orator, Harry Sutliff, on to-morrow morning be allowed to entertain the House in this Hall from 9:30 to 10 o'clock, with his recitations from standard authors and war stories.

By Mr. Hubbard—

*Resolved by the House of Representatives, the Senate concurring*, That the joint committee on constitutional amendments are allowed and requested to sit during the sessions of the House and Senate, and they are requested to report what action they have

taken or progress made to each sitting of the House and Senate.

### INVESTIGATING COMMITTEE.

On motion of Mr. Lee, the special committee to investigate charges of misconduct on the part of certain persons, of which Mr. Cofer is chairman, was requested to report.

### COMMITTEE OF THE WHOLE.

H. 4. The House resolved itself into the committee of the whole to consider the bill H. 4., known as the primary election law bill. The Speaker named Mr. Lee to preside over the committee of the whole.

The committee rose, and through its chairman, Mr. Lee, reported the bill favorably, with sundry amendments.

### MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has concurred in the two House joint resolutions relating to report of special committee on constitutional amendments.

JNO. F. PROCTOR,

Secretary.

And the House adjourned till this afternoon at three o'clock.

### AFTERNOON SESSION.

The House met pursuant to adjournment.

A quorum was present.

### PAIR OF VOTES.

H. 4. The following named gentlemen were paired on the main question, on the passage of the bill, H.4., the first named gentlemen being in favor of, and the last named opposed to the bill :

Mr. Jones, of Bullock, with Mr. Hurt; Mr. Delchamps with Mr. Bibb; Mr. Smith of Baldwin, with Mr. Tate; Mr. Miller with Mr. Poole; Mr. Cofer with Mr. Bayles; Mr. Marbut with Mr. McQueen; Mr. Greene with Mr. Arrington; Mr. Hood with Mr. Bulger.

### BILLS ON THIRD READING.

- H. 4. To regulate primary elections of recognized political parties in the State of Alabama.

Was taken up.

The amendments proposed by the committee of the whole were adopted.

Mr. Turnstall moved that the third reading and engrossment of the bill be laid on the table.

Mr. Robinson moved as a substitute that the third reading and engrossment of the bill be indefinitely postponed.

The motion was lost. Yeas, 34; nays 36.

Yeas:

Messrs. Speaker, Andress, Brown, Carson, Collier, Dameron, Davidson, Doster, Garner, Garrett, George, Gibson, Godbold, Graves, Hardie, Harwood, Heflin of Chambers, Heflin of Randolph, Henry, Huey, Jones of Covington, Kelly, Lavretta, Lee, Patterson, Pettus, Riggs, Rogers, Screws, Seymour, Stodghill, Tunstall, Vaughan, Wallace—34.

Nays:

Messrs. Box, Brandon, Bruner, Burkhalter, Byars, Capps, Cheatham, Cornelius, Daves, Flewellen, Forrester, Fuller, Harris, Haynie, Hollis, Houston, Hubbard, Jarrett, Jones of Lee, Jones of Wilcox, Killen, Knight, Long, Lyle, Maddux, Mathews, Moody, McCain, Porter, Reynolds, Robinson, Sloan, Smith of Escambia, Spears, Sullivan, White—36.

And the bill was read a third time at length and passed. Yeas, 37; nays, 33.

Yeas:

Messrs. Box, Brandon, Bruner, Burkhalter, Byars, Capps, Cheatham, Cornelius, Daves, Flewellen,



Forrester, Fuller, Harris, Hollis, Houston, Hubbard, Jarrett, Jones of Lee, Jones of Wilcox, Killen, Knight, Long, Lyle, Maddux, Mathews, Moody, McCain, McGuire, Porter, Reynolds, Robinson, Sloan, Smith of Escambia, Spears, Sullivan, Tunstall, White.—37.

Nays:

Messrs. Speaker, Address, Brown, Carson, Collier, Dameron, Davidson, Doster, Garner, Gorge, Gibson, Godbold, Graves, Hardie, Harwood, Haynie, Heflin of Chambers, Heflin of Randolph, Henry, Huey, Jones of Covington, Kelly, Lavretta, Lee, Patterson, Pettus, Riggs, Rogers, Screws, Seymour, Stodghill, Tunstall, Vaughan—33.

Mr. Tunstall moved to reconsider the vote by which the bill passed.

And the House adjourned till 10 o'clock tomorrow.

## TENTH DAY.

House of Representatives.

Saturday, May 13, 1899.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Garrett, of the House.

Upon a call of the roll, the following named members answered to their names:

Messrs Speaker, Address, Arrington, Box, Brandon, Brown, Bruner, Bulger, Burkhalter, Byars, Capps, Cheatham, Cofer, Collier, Cornelius, Dameron, Daves, Davidson, Delchamps, Doster, Edwards, Flewellen, Forrester, Fuller, Garner, Garrett, George, Gibson, Godbold, Harris, Harwood, Haynie, Heflin of Chambers, Heflin of Randolph, Hollis, Hood, Houston, Hubbard, Huey, Jarrett, Jones of Covington, Jones of Lee, Jones of Wilcox, Kelly, Killen, Knight, Long, Lyle, Maddux, Marbut, Mathews, Miller, Moody, McCain, McGuire, McRee, Patterson, Pettus,

Poole, Porter, Riggs, Robinson, Rogers, Screws, Seymour, Sloan, Smith of Baldwin, Smith of Escambia, Spears, Stodghill, Sullivan, Tate, Thigpen, Tunstall, Wallace, White.

The Speaker announced that a quorum was present.

When the name of Mr. Brandon was called, Mr. Tunstall challenged the right of Mr. Brandon to answer to the roll call, upon the ground that he had vacated his seat in the House by accepting the office of Adjutant General of the State, by virtue of the constitutional provision that no person shall hold two officers of profit at one and the same time, under this State.

Mr. Cofer made the point of order that the challenge could not be made when the roll call was in progress (the challenge having been made when the name of Mr. Brandon was reached).

The Speaker (Mr. Brown in the chair) ruled that the point was not well taken.

Mr. Cofer appealed from the decision of the chair, but subsequently withdrew the appeal.

### RECONSIDERATION.

Pending consideration of the question, Mr. Tunstall renewed his motion to reconsider the vote by which the bill,

H. 4. To regulate primary elections of recognized political parties in the State of Alabama,

Was passed on yesterday.

Mr. Robinson moved to table Mr. Tunstall's motion.

Mr. Tunstall moved to indefinitely postpone his motion to reconsider.

And the motion to indefinitely postpone was carried. Yeas, 34; nays, 33.

Yeas:

Messrs. Box, Brandon, Bruner, Burkhalter, Byars, Capps, Cheatham, Cornelius, Daves, Delchamps, Edwards, Flewellen, Forrester, Fuller, Harris, Hollis, Houston, Hubbard, Huey, Jarrett, Jones of Lee, Kil-

len, Knight, Long, Lyle, Maddux, Mathews, Moody, McCain, Robinson, Sloan, Smith of Baldwin, Sullivan, White—34.

Nays:

Messrs. Speaker, Andress, Bibb, Brown, Bulger, Collier, Dameron, Davidson, Garner, Garrett, George, Gibson, Godbold, Graves, Harwood, Haynie, Heflin of Chambers, Heflin of Randolph, Jones of Covington, Kelly, Lee, McGuire, McRee, Patterson, Pettus, Riggs, Screws, Seymour, Stodghill, Tate, Thigpen, Tunstall, Wallace—33.

When the roll was being called on the foregoing vote, when Mr. Brandon's name was reached, Mr. Tunstall challenged Mr. Brandon's right to vote for the same reasons assigned when he challenged the right of Mr. Brandon to respond on the roll call this morning to ascertain the presence of a quorum. The roll call proceeded without the question being acted upon.

#### PAIRS.

H. 4. The following pairs were announced on H. 4, the first named gentlemen being in favor of, and the last named opposed to the bill:

Mr. Jones of Bullock with Mr. Hurt;  
 Mr. Miller with Mr. Poole;  
 Mr. Cofer with Mr. Bayles;  
 Mr. Marbut with Mr. McQueen;  
 Mr. Green with Mr. Arrington;  
 Mr. Smith of Escambia with Mr. Carson;  
 Mr. Hood with Mr. Lavretta;  
 Mr. Jones of Wilcox with Mr. Vaughan;  
 Mr. Porter with Mr. Rogers;  
 Mr. Reynolds with Mr. Doster.

The pair of Mr. Smith of Escambia with Mr. Carson was limited to the motion to indefinitely postpone the motion to reconsider, and the motion to reconsider and on the passage of the bill.

## REVISION OF THE JOURNAL.

The chairman of the committee on the revision of the Journal made the following report:

Mr. Speaker:

Your committee on the House Journal have examined the Clerk's record of the proceedings of the House of Representatives of May 12, 1899, and find it to be a true and correct journal of the same.

W. C. BIBB,

Chairman.

The report was adopted.

## LEAVE OF ABSENCE

Was granted to Messrs. Hardie, Vaughan and Jones of Bullock for to-day.

The House adjourned till 12 o'clock Monday next.

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 ELEVENTH DAY.

House of Representatives.

Monday, May 15, 1899.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Sloan, of the House.

A quorum was present.

## LEAVE OF ABSENCE

Was granted to Messrs. Brown, Sloan, Harris, Davidson, Gibson, Bulger, Patterson, Vaughan, Riggs, and Doster for to-day, and to Mr. Lee for to-day and to-morrow, to Mr. Jones of Covington indefinitely, and to Mr. Jones of Wilcox indefinitely after to-day.

## REVISION OF THE JOURNAL.

The chairman on the revision of the Journal committee submitted the following report:

Mr. Speaker:

Your committee on the House Journal have examined the Clerk's record of the proceedings of the House of Representatives of May 13, 1899, and find it to be a true and correct journal of the same.

W. C. BIBB,

Chairman.

The report was adopted.

## RESOLUTIONS

Were offered as follows:

By Mr. Spears—

*Resolved, by the General Assembly of Alabama, the Senate and House concurring, 1st.* We do not believe that there ever should be an amendment to the Constitution of this State fixing any educational or property qualification for voting in this State, and that such amendment would be un-American, un-Democratic, un-Republican, contrary to the doctrines of the People's party and obnoxious to the great majority of the people of Alabama.

By Mr. Moody—

*Be it resolved by the House, the Senate concurring,* That a bill should be passed before final adjournment amending Section 1, Article 8 of the Constitution, so as to require the voluntary payment of all poll tax for the year in which any person may offer to vote, and for the year prior thereto.

The two resolutions last set out were referred to the Joint Committee on Constitutional Amendments.

By Mr. Wallace—

*Resolved by the House, the Senate concurring,* That the General Assembly of Alabama stand adjourned *sine die* at 6 p. m. Thursday, May 18, A. D. 1899.

The last named resolution was referred to the Joint Committee on the Question of Adjournment.

By Mr. Graves—

*Resolved by the House, the Senate concurring,* That the Assembly do not adjourn *sine die* until final action be taken upon House bill 17, or some other suffrage amendment to the Constitution.

Mr. Graves moved that the rules be suspended and the resolution put upon its immediate passage.

The motion was carried. Yeas, 49; nays, 13.

Yeas:

Messrs. Andress, Box, Bruner, Byars, Cheatham, Cofer, Collier, Cornelius, Daves, Flewellen, Fuller, Garner, Godbold, Graves, Haynie, Heflin of Randolph, Hollis, Hood, Houston, Hubbard, Huey, Jarrett, Jones of Bullock, Jones of Lee, Jones of Wilcox, Killen, Knight, Lavretta, Long, Lyle, Maddux, Marbut, Mathews, Miller, Moody, McCain, McRee, Pettus, Porter, Reynolds, Robinson, Screws, Seymour, Smith of Baldwin, Smith of Escambia, Sullivan, Thigpen, Wallace, White—49.

Nays:

Messrs. Speaker, Dameron, Delchamps, Garrett, George, Hardie, Hurt, Jones of Covington, Kelly, Spears, Stodghill, Tunstall—13.

The resolution was adopted.

Mr. Wallace moved to reconsider the vote by which the resolution was adopted.

By Mr. Delchamps—

*Resolved*, That whereas allegations have not only been made current, but have been dissiminated by the public press, that the Journal of this House, at the last session, has been unlawfully tampered with, against the dignity of the State of Alabama;

*Resolved*, That a committee of three or five be appointed by the Speaker, at his discretion, to investigate and report the facts of the case to this House as soon as may be.

*Resolved*, That said committee is hereby empowered to call and examine witnesses and take depositions, if needed, and reduce the testimony to writing, so far as in its judgment it may deem advisable.

Which was referred to the Committee on Rules.

## PERSONAL PRIVILEGE.

Mr. Reynolds rose to a question of personal privilege, and submitted the following remarks:

"The Montgomery Advertiser of yesterday speaks as follows concerning me:

" 'Mr. Reynolds, of Chilton, said he might as well have his say now—nobody listened to him, anyway. He said it seemed to him that the Legislature had been called together and the people's money was being spent for no other purpose than to play for political advantage; that the same division that obtained on the Constitutional Convention question was apparent on the pending issue.'

"The animus of the Advertiser's mendacious misrepresentations of me is evident. It seeks to have me put the blame for a prolonged fight over this bill upon the administration and its friends, when, in point of fact, I said nothing which could be construed into any such charge. What I actually did say was the following:

" 'I thought it a good time to make a speech, as there was no reporter present, and nobody seemed to be listening.'

"I said 'the Legislature had been called for a legitimate and special purpose, but that it seemed to me that some were trying to use the Legislature for no other purpose than to play for political advantage, and that it was a disgrace to Alabama that men elected to such high offices would spend the people's money in such a way, and that I could not understand why the same division that obtained on the Constitutional Convention question was apparent on the pending issue.' I said, 'God forbid that I ever vote against any measure looking to honesty, justice and to making men do right, and unless some law was enacted to prohibit the use of whiskey and money to corrupt voters, that we had just as well put the offices up and sell them to the highest bidder for cash, for a poor

man was almost debarred from holding office now,' etc.

"Respectfully,

"L. H. REYNOLDS."

And the House adjourned till 8 o'clock this evening.

### EVENING SESSION.

The House met pursuant to adjournment.  
A quorum was present.

### RESOLUTIONS.

Mr. Waller offered the following resolution:

*Resolved.* That it is the sense of this House that no suffrage amendment ought to pass that requires an educational, property or tax qualification to vote.

Mr. Waller moved that the resolution be referred to a special committee of five, to be appointed by the Speaker.

Mr. Waller withdrew the motion and, under the rules, the resolution was referred to Committee on Rules.

Mr. Godbold offered the following resolution:

*Resolved.* That it be the sense of this House that no suffrage amendment ought to pass that disfranchises any white man,

Which resolution was referred to the Committee on Rules.

### REPORT OF JOINT COMMITTEE.

The chairman of the joint committee on constitutional amendments on part of the House reported to the House, without recommendation, the following bills, which were severally read a second time:

H. 9. To submit to the people of the State, at the general election to be held in August, 1900, for their consideration, an amendment to Article eight of the Constitution of the State of Alabama, providing for the regulation of suffrage and the qualification of electors.



H. 15. To submit to the qualified electors, at the general State election in 1900, an amendment to Article thirteen of the Constitution of Alabama, by striking out Section 2 of said article.

H. 17. To submit to a vote of the qualified electors of this State, at the general election to be held in the year 1900, for the election of Representatives, an amendment of Article VIII of the Constitution of the State of Alabama.

H. 19. To provide for submitting to the qualified electors of Alabama, at the general State election in 1900, an amendment to Section 2 of Article 11 of the Constitution of the State of Alabama.

H. 21. To provide for submitting to the qualified electors of Alabama at the general State election in 1900, an amendment to Article VIII, Section 1 of the Constitution of the State of Alabama.

The foregoing bills were referred to the House members of the joint committee on constitutional amendments, and, being reported back to the House without recommendation, were placed on the calendar.

And the House adjourned till to-morrow morning at 11 o'clock.

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## TWELFTH DAY.

House of Representatives.

Tuesday, May 16, 1899.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Garrett, of the House.

A quorum was present.

## LEAVE OF ABSENCE

Was granted to Mr. Gibson indefinitely, and to Messrs. Davidson, Harris, Burkhalter and Cofer for to-day.

## RESOLUTIONS.

Mr. Bulger offered the following resolution:

WHEREAS, That this extraordinary session of the Legislature was called for certain purposes, set out in the proclamation of the Governor, which were only three;

WHEREAS, That we have been in session twelve days, and have passed only two bills, one of which was an appropriation of twenty thousand dollars out of the public treasury;

WHEREAS, That each day of the session is costing the tax-payers of the State about seven hundred dollars.

WHEREAS, That no probable good will come to the people by a prolonged session; therefore, be it

*Resolved, by the House, the Senate concurring,* That the joint committee on adjournment are hereby directed to report at once, the very first day possible for a final adjournment of this General Assembly.

Rules were suspended that the resolution might be immediately considered.

The resolution was adopted. Yeas, 35; nays, 31.

Yeas:

Messrs. Speaker, Arrington, Bulger, Carson, Cofer, Collier, Cornelius, Dameron, Daves, Doster, Flewellen, Forrester, Fuller, Garrett, Hollis, Hurt, Kelly, Long, Lyle, Marbut, Mathews, Moody, McGuire, McRee, Patterson, Poole, Reynolds, Riggs, Rogers, Screws, Spears, Stodghill, Tate, Vaughan, Wallace.  
—35.

Nays:

Messrs. Andress, Bibb, Box, Bruner, Byars, Cheatham, Delchamps, Edwards, Garner, George, Godbold, Graves, Hardie, Haynie, Hood, Houston, Hubbard, Huey, Jarrett, Jones of Bullock, Jones of Lee, Killen, Knight, Moody, McCain, Pettus, Porter, Robinson, Sloan, Sullivan, Tunstall, White.  
—31.

Mr. Bibb offered the following resolution:

*Be it resolved by the House, the Senate concurring,*

1st. That all leaves of absence heretofore granted by either or both branches of the General Assembly be and they are hereby recalled.

2d. That all absent members, with or without leave, be brought into their seats, except where such members are physically unable to attend, at the earliest practicable moment.

3d. That the doorkeeper be and he is hereby authorized to telegraph such absent members.

The resolution was referred to the Committee on Rules, and, being favorably reported, was adopted.

### REPORT FROM RULES COMMITTEE.

The committee on rules favorably reported Mr. Waller's resolution relating to suffrage amendments, but action upon the same postponed, and made a special order first on the orders of the day to-morrow.

### READING OF BILLS.

The following bills, which were reported on yesterday, were again severally read by their titles to-day:

H. 19. To provide for submitting to the qualified electors of Alabama, at the general State election in 1900, an amendment to Section 2 of Article 11 of the Constitution of the State of Alabama.

H. 21. To provide for submitting to the qualified electors of Alabama, at the general State election in 1900, an amendment to Article VIII, Section 1 of the Constitution of the State of Alabama.

H. 9. To submit to the people of the State, at the general election to be held in August, 1900, for their consideration, an amendment to Article eight of the Constitution of the State of Alabama, providing for the regulation of suffrage and the qualification of electors.

H. 15. To submit to the qualified electors, at the general State election in 1900, an amendment to Article thirteen of the Constitution of Alabama, by striking out Section 2 of said article.

## BILLS ON SECOND READING.

The chairman of the joint committee on constitutional amendments reported, without recommendation, on the following bill:

H. 18. To submit to the vote of the qualified electors, at the general election of 1900, an amendment to Article six of the Constitution.

The above and foregoing bill was read a second time and placed on the calendar.

The foregoing bill was recommitted to a special committee, consisting of the House members of the joint committee on constitutional amendments, and being reported back to the House with a substitute, without recommendation, was again read by its title.

## SPECIAL ORDERS.

On motion of Mr. Seymour, H. 9, 15, 17, 19 and 21 were made special orders for to-morrow, immediately after the report of the committee on the Journal.

And the House adjourned till to-morrow morning at 10 o'clock.

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 THIRTEENTH DAY.

House of Representatives.

Wednesday, May 17, 1899.

The House met pursuant to adjournment.

A quorum was present.

Prayer by Rev. Mr. McCain, of the House.

## REPORT OF JOURNAL COMMITTEE.

The chairman of the revision of the Journal committee made the following report:

Mr. Speaker:

Your committee on the House Journal have examined the Clerk's record of the proceedings of the House of Representatives for May 15, 1899, and May 16, 1899, and find it to be a true and correct journal of the same.

W. C. BIBB,  
Chairman.

The report was adopted.

### RESOLUTIONS.

Mr. Arrington offered the following resolution, which was referred to the committee on rules:

*Resolved*, That no more leaves of absence will be granted from this House, except on account of sickness, and if there is, the person leaving shall not receive any pay by the State.

### MESSAGE FROM THE SENATE .

Mr. Speaker:

The Senate has adopted a joint resolution, herewith sent, providing for the final adjournment of this session of the General Assembly on Wednesday, May 17th, 1899, at 6 o'clock p. m.

JNO. F. PROCTOR,  
Secretary.

### SENATE MESSAGE.

The House concurred in the Senate joint resolution mentioned in the foregoing Senate message, fixing the hour for final adjournment for 6 o'clock p. m. Wednesday, May 17th, 1899.

On motion, the House recessed until 3 p. m.

### AFTERNOON SESSION.

The House met pursuant to adjournment.

On motion, the House recessed until 5:45 o'clock p. m.

The House re-assembled pursuant to adjournment.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted a joint resolution, herewith sent, appointing a committee consisting of two on the part of the Senate and three on the part of the House, to wait upon the Governor, to ascertain whether or not he has any further communication to make to the general Assembly before final adjournment.

Committee on part of the Senate: Messrs. Brown and Grant.

JNO. F. PROCTOR,

Secretary.

The House concurred in the foregoing Senate joint resolution. Committee on part of the House: Messrs. Hood, Tunstall and Andress.

Mr. Davis, chairman of the committee to draft resolutions on the death of Mr. Seay, was given leave to send resolutions to the Clerk, to be printed in the House Journal.

## RESOLUTIONS.

Mr. Heflin, of Chambers, offered the following resolution, which was adopted:

*Resolve*, That this House expresses its sincere thanks to the Speaker of this House for his fair rulings, and to the other officers of the House for their faithful discharge of their duties.

## PROTEST.

The following protest was filed, and spread upon the Journal:

We, the undersigned members of the House of Representatives of the General Assembly of Alabama, file this, our solemn protest, against the action of the House of Representatives in voting to adjourn *sine die* at 6 o'clock p. m. this day.

The General Assembly, upon the advice of a major-

ity of its members, was called in this special session, (1) to consider the repeal of an act to provide for holding a Constitutional Convention to revise and amend the Constitution of the State, and for submitting to a vote of the electors of the State the question of Convention or No Convention; (2) to consider and submit amendments to the Constitution of the State, and (3) to tender a primary election law.

The act to repeal the act relating to the holding of a convention to amend and revise the State Constitution has become a law by the concurrent action of the General Assembly and the Governor. A primary election law has passed the House of Representatives, and has been sent to the Senate, and bills proposing amendments to the Constitution of the State relating to suffrage, education, taxation and other matters of importance to all the people of the State, are now on the calendar awaiting our action and inviting our consideration.

The adjournment of the General Assembly to-day will postpone indefinitely any amendments of the Constitution of the State, and deny to the people of the State the relief which they have a right to expect, and which it is the duty of the General Assembly to give them.

In repealing the act to provide for a vote on the holding of a convention to revise and amend the Constitution of the State, the General Assembly took upon itself all the obligation and all the responsibility which would have been imposed on a convention to amend and revise the Constitution; and its final adjournment without having acquitted itself of the obligation and responsibility to the people of the State by proposing to the people some method of relief, through a change in the Constitution, from the evils of negro suffrage as it now exists in the State will be construed as a confession of incapacity or insincerity, whereby reproach will be brought upon it and its members.

We protest that a final adjournment now, while bills to submit amendments to the Constitution are

pending on the calendar of the respective houses, and ready for action, will be considered by the people of the State an evasion of duty, a refusal to perform a duty, an escape from duty, and become the fruitful and righteous cause of greater discontent, distrust and dissatisfaction throughout the State, whereby the dangers of a difficult condition of affairs will be increased.

WM. H. SEYMOUR, member from Sumter county.

W. T. L. COFER, member from Cullman county.

ELI HAYNIE, member from Elmore county.

H. A. KILLEN, member from Lauderdale county.

J. H. LYLE, member from Madison county.

W. F. MCCAIN, member from Calhoun county.

#### REPORT OF JOINT COMMITTEE TO WAIT UPON GOVERNOR.

Mr. Hood, chairman of the committee to wait upon the Governor, reported that the Governor had no further communication to make, but desired to thank the House for courtesies.

The Journal of to-day was read and approved.

The Speaker declared, that by operation of the joint resolution heretofore adopted, the House stood adjourned *sine die*.

CHARLES E. WALLER,

Speaker of the House of Representatives.

MASSEY WILSON,

Clerk of the House of Representatives.



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